



BRIAN SANDOVAL
Governor

STATE OF NEVADA
DEPARTMENT OF HEALTH AND HUMAN SERVICES
AGING AND DISABILITY SERVICES DIVISION

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MICHAEL WILLDEN
Director

JANE GRUNER
Administrator

MINUTES

Name of Organization: Nevada Assistive Technology Council (AT Council)

Date and Time of Meeting: April 8, 2014
1:00 p.m.

This meeting will be held at the following location:

Reno: Northern Nevada Center for Independent Living
999 Pyramid Way
Sparks, NV 89431
(775) 353-3599

This meeting will be Videoconferenced to:

Las Vegas: Rebuilding All Goals Efficiently (RAGE)
2901 El Camino Ave., Suite 102
Las Vegas, Nevada 89102
(702) 333-1038

To join this meeting by phone dial 1-888-363-4735 then enter Access Code 1228133 when prompted.

Agenda

- I. Welcome, Roll Call and Introductions
Scott Youngs, Chairperson

A quorum being present, Mr. Youngs called the meeting to order at 1:00 p.m.

Members Present: Frida Aizenman, Hentjie Apag, Tami Brancamp, Vickie Essner, Thomas Kearns, Jesse Leaman, Mechelle Merrill, Brian Patchett, John Rosenlund, Scott Sauer, Scott Youngs

Members Absent: Andrew Luis, Earnest Hall, Havander Davis, Rena Smith

Public Present: Brian Barnard, CARE Chest; Reggie Bennett, RAGE; Alex Majewski, Easter Seals Nevada; Jack Mayes, Nevada Disability Advocacy and Law Center; George McKinlay, Nevada Assistive Technology Resource Center and the Nevada Center for Excellence in Disabilities; Dora Uchel, Nevada Center for Excellence in Disabilities

Aging and Disability Services Division (ADSD) Staff Present: Julie Balderson, Vicki Kemp, Diane Scully

- II. Approval of the Minutes from the February 11, 2014 Meeting. (For Possible Action)
Scott Youngs, Chairperson

Ms. Aizenman said her name was misspelled in the minutes and asked that it be corrected. Mr. Kearns made a motion to approve the minutes with noted correction. Mr. Rosenlund seconded. Motion carried.

- III. Public Comment (No action may be taken upon a matter raised under public comment period unless the matter itself has been specifically included on an agenda as an action item.)

There were no comments from the public.

- IV. Discussion and Possible Recommendations on the Questions Provided by Janet Belcove-Shalin Addressing Where to go for Resources and Information on Assistive Technology for Students (For Possible Action)
Scott Youngs, Chairperson
Janet Belcove-Shalin

Mr. Youngs said he thinks this is worth pursuing and asked for input from the council, if they want to continue with this. Mr. Rosenlund said the questions are geared towards students but thinks it's important and should be revisited.

Mr. Youngs asked what should the final product look like, a document, on a website? He said he wants to be sure that whatever is done it is an effective resource and useable.

Mr. Rosenlund suggested starting with some basic information to direct people to resources to give them somewhere to start. He brought up formatting and talked about the Rubrick matrix.

Mr. Youngs added that when this was first talked about over a year ago the Nevada Center for Excellence in Disabilities put together a matrix of resources that was distributed to council members and he can provide it to current members.

The questions of distribution and funding were brought up. Funding could be through State Leadership, the Technology Act or other source, and will need to

be investigated. Mr. Rosenlund noted that if it's put on a State website then the State needs to be the custodian.

Mr. Youngs noted that today, people search for information via Google or other online search engines. Whatever is done must be searchable using current technology, in addition to a printed guide (the print version is needed for people who do not use computers).

Mr. Majewski said Easter Seals Nevada runs a website funded through the State, the Nevada Assistive Technology Exchange. Currently it is only for devices. It's a multi-state collaborative with more than 20 states participating. Suggestions on where to steer it are welcome and this could eventually help with the resource issue.

Mr. Rosenlund added that the Aging and Disability Resource Center (ADRC) and the centers for independent living are also pieces that should be brought in.

Mr. Sauer suggested using the product as a training resource. He met a family with a visually impaired child, they have an iPad but didn't know how to use the programs on it. People don't know where to go for training for using the devices available. The average parent has no idea where to go and it can be overwhelming.

Mr. Youngs asked how does the council make this into a workable agenda item? Mr. Rosenlund said they have to determine what they want to accomplish, maybe pick one aspect or item and start there. Mr. Youngs suggested review existing council resources (Nevada Excellence in Disabilities matrix, questions from Ms. Belcove-Shalin) and topics submitted by council members, for discussion and possible determination of issues to address in compiling a resource guide. This would give the council a starting point instead of just reviewing what's already been done.

Mr. Bennett asked about social media, the possibility of creating a Facebook page for information and training. Mr. Rosenlund said this has been brought up before and ADSD has said no, it won't be supported by the state, but if the council wants to do it, that would be okay. Ms. Merrill said the public relations person with Vocational Rehabilitation (VR) took it upon herself to create a Facebook page for VR. It doesn't get many hits, but it's out there.

Mr. Rosenlund restated that the council needs to decide what it's going to be and who is going to be the custodian. Mr. Youngs agreed stating some strategic planning needs to be done to decide what is important, suggesting the next meeting have one or two agenda items that can be thoroughly discussed to move this forward.

After some discussion, it was decided that Mr. Youngs will send out an email to council members and interested parties asking them to submit their three to five

most important issues relating to AT in the state to be addressed. The responses will go to Ms. Scully to compile and provide to the council at the next meeting. Mr. Youngs said they need to be general concepts instead of individual complaints. Ms. Aizenman suggested wording it into a specific question to make it easier to answer. Mr. McKenzie suggested the email include links to LinkedIn and Facebook. Ms. Brancamp said it should also include a link to the AT Summit report and a deadline for the suggestions to be turned in. Mr. Youngs will also include the matrix and questions talked about earlier.

Mr. McKenzie said dissemination of information was discussed at the AT Summit and no effective funding is available to support training, and it must be user group driven via LinkedIn and Facebook; they are really the only way to distribute this information. Mr. Youngs noted that to have the most exposure every method out there must be used. Ms. Aizenman noted that training for visually impaired people is different than for sighted people. Mr. Youngs said this is where he sees training people to train others.

Mr. Rosenlund said the council members must do their research and look at what's been accomplished by the AT Summit.

Ms. Aizenman said she checked out the ADRC website and it is not accessible. Ms. Brancamp suggested the council send a letter to Ms. Pasquale letting her know so this could be addressed. Ms. Kemp asked what the regulations and laws are regarding website accessibility because there is always a cost involved. With that information, she can meet with Ms. Pasquale and work out what can and cannot be done.

- V. Update, Discussion and Possible Recommendations Regarding the Website Discussed at the Nevada Assistive Technology for Employment Summit 2011 (For Possible Action)
Scott Youngs, Chairperson

Ms. Essner said the project got placed on hold because of a change in group membership, currently, there is no one to take the lead. Mr. Youngs said it will be incorporated into other discussions on AT and accessibility.

- VI. Presentation Related to Accessibility of State Websites and Resources
Scott Youngs, Chairperson
Presentation by George McKinlay, Nevada Assistive Technology Resource Center

For the past seven years, Mr. McKinlay has been tracking State Websites checking on their accessibility. This started as a result of a workshop for Government Webmasters put on by the Nevada Center for Excellence in Disabilities. The workshop was not well attended by webmasters but was well accepted by institutions of higher education.

Since he started checking out these websites, they have gotten considerably better, especially the Department of Motor Vehicles. Some that are still un-accessible are: ADSD, the Aging and Disability Resource Center (ADRC), Department of Training and Education (DETR) and the Governor's Office.

In the past, the State has had resources, but while that is not the case now, they are designing new sites but the same problem exists. Mr. McKinlay said it's a big not welcome sign.

There are two parts to websites: 1) structural (technical) and 2) content (what is posted on the site). Mr. McKinlay noted numerous times that "content is king," saying it's important to make sites accessible, adding that posting a picture is not accessible to the visually impaired.

There is a group starting up making this research public via an accessible website called WebAim. The site will list sites stating if they are accessible or not and if not, what can be done to improve them. It's run out of the University Center for Developmental Disabilities in Utah. It's hoped the site will be up and running by late summer 2014.

Mr. McKinlay noted some statistics on computer usage nationwide. Households with computer/internet access: without disabilities 20 percent have no computer; with disabilities 46 percent don't have a computer. Those with broadband access: 72 percent of households without disabilities have broadband access, compared to 43 percent with disabilities. Seventy percent of all households have smart phones.

The way people now get information is 1) via social media, 2) via websites and 3) via printed material. Mr. McKinlay stated as AT people, we have the ability to embrace technology where most of our clients and prospective clients are going to get information. He noted Facebook is about participating and has changed the idea of just posting information on websites.

The new wave is via Facebook, LinkedIn and text messaging. Currently, State of Nevada employees can't access text messaging on the job and this is slowing down the disabled population's access to information. Another barrier is the ineffective use of current technology, for instance, instead of attaching documents to an email, it would be more accessible to create a structured email with the content entirely in the body of the email message.

His idea for change is to empower people to contribute. Professionals need to be involved in current methods of communication, especially something like LinkedIn and text messaging as a way to share resources. This would include training State employees to utilize these new tools.

Mr. Rosenlund asked what is going on in other states. Mr. McKinlay said there are similar issues nationwide but it's better back east, and in Washington DC. There are Federal regulations relating to accessibility.

Mr. McKinlay asked if anyone at the meeting had attended any web accessibility classes. There were four or five who had. Some attended classes put on at the University of Nevada, Reno (UNR) and some at California State University, Northridge (CSUN). Mr. Rosenlund noted he's not in IT so it wasn't really applicable but understands it is an issue.

New training skills need to be developed for State employees on how to create accessible content.

Mr. Majewski said CSUN has come up with guidelines for accessible content called The Way ARIA (Web Accessibility Initiative Accessible) for use with html5. This may be something the council should look into and present to the State.

Mr. Rosenlund said we need to retrain ourselves to think in terms of social media, posting on Facebook with links to accessible sites.

Mr. McKinlay noted that Truckee Meadows Community College was the only website in the State's higher education system that was accessible seven years ago.

VII. Discussion and Possible Recommendation on Concerns Related to Accessibility of Textbooks and Other Classroom Materials in Post-Secondary Education (For Possible Action)

Thomas Kearns, Council Member

Mr. Kearns handed out an information sheet on the subject (see attached). He noted that if the AT Council was not going to push the TEACH Act forward, then Mr. Majewski and himself will, but they would like to see it as one of the Councils' goals. The TEACH Act needs to be expanded to all levels of education, not just higher education. Due to time limitations, this will be discussed in more detail at a future meeting.

VIII. Discussion of the Effectiveness of the Early Implementation of Assistive Technology for Non-Verbal Students and Development of Recommendations to Improve the Assessment Policy, Process, Teacher Training and Technical Competences, and the Inclusion of Technology into the Implementation Process (For Possible Action)

Scott Sauer, Council Member

Mr. Sauer said this could be narrowed down to children entering the school system for the first time, how the child is assessed to determine the device needed for them, and training teachers to work with these devices to the best advantage of the student.

Mr. Youngs noted the representative from the Department of Education was unable to attend due to a scheduling conflict, but will be rescheduled for a future meeting.

This topic will be on future agendas for additional discussion.

IX. Discussion and Possible Recommendations Regarding the Creation of Independent Living and Assistive Technology Services for the Blind and Visually Impaired (For Possible Action)

Scott Youngs, Chairperson
Brian Patchett, Council Member

Mr. Patchett said the meeting of the Interim Legislative Council was postponed until May. One of topics to be discussed was looking at AT and IL services for the blind or visually impaired who cannot be employed or qualify for a program through DETR. Help needs to be provided to the visually impaired when they enter the system regardless of age or reason.

He realizes that resources are always an issue, but the hope is to have a bill submitted at the next legislative session that the AT Council can support.

Mr. Youngs asked if Mr. Patchett can present a report at the next meeting after the Interim Legislative Council meeting has taken place. Mr. Patchett said he will be happy to do that.

X. Update on AT Council Members Discussion and Possible Recommendations Regarding New Members (For Possible Action)

Scott Youngs, Chairperson

Mr. Rosenlund said there are currently 12 members on the AT Council, with vacancies being a representative from the Department of Education (DOE) and the Workforce Investment Board. A candidate is being considered for the DOE (Dr. Leslie Nelson has submitted her application and is waiting for appointment confirmation), and Mr. Rosenlund has a contact for the Workforce Investment Board position. The Council is meeting the 51 percent requirement for members who use AT.

Mr. Youngs asked if an updated roster could be compiled and distributed to current members. Ms. Brancamp asked that it include when each person's term expires. Mr. Rosenlund said he would do that.

XI. Discussion and Possible Determination of Issues and Agenda Items to be Considered or Deliberated at Next Meeting (For Possible Action)

Scott Youngs, Chairperson

Mr. Youngs said the three to five most pervasive AT issues as submitted by members will be discussed.

Mr. Rosenlund suggested have a representative from the Commission for Services for Persons with Disabilities (CSPD) make a presentation and discuss how to move issues forward for resolution. Mr. Patchett said he is the chair of the CSPD and will do that, adding that if the AT Council has a couple of items to bring to the CSPD he can take them to ADSD and DHHS and perhaps turn them into a bill to take to the legislature.

Mr. Patchett said Item IX from this agenda should be carried over to the next meeting as well.

XII. **Schedule Next Meeting (For Possible Action)**
Scott Youngs, Chairperson

The date of the next meeting was confirmed on June 10, 2014, 1-3 pm, at the NNCIL in Sparks and teleconferenced to RAGE in Las Vegas. ADSD staff will confirm location in Southern Nevada.

XIII. **Public Comment** (No action may be taken upon a matter raised under public comment period unless the matter itself has been specifically included on an agenda as an action item)

Ms. Brancamp said there is a movement to make an accessible playground at Mills Park in Carson City. It would be the Wendy Robards Universal Park and be accessible to adults and children with disabilities. Donations are being accepted, for more information visit the website at: www.wendysdreampark.com.

XIV. **Adjournment (For Possible Action)**
Scott Youngs, Chairperson

Ms. Brancamp made a motion to adjourn the meeting. Mr. Rosenlund seconded. Motion carried. Meeting was adjourned at 3:08 p.m.

NOTE: Items may be considered out of order. The public body may combine two or more agenda items for consideration. The public body may remove an item from the agenda or delay discussion relating to an item on the agenda at any time. The public body may place reasonable restrictions on the time, place, and manner of public comments but may not restrict comments based upon viewpoint.

Current Assistive Technology Council Members

Scott Youngs (Chairperson), Frida Aizenman, Hentjie Apag, Tami Brancamp, Havander Davis, Victoria Essner, Ernie Hall, Thomas Kearns, Jesse Leaman, Andrew Luiz, Mechelle Merrill, Brian Padgett, Scott Sauer, Rena Smith

NOTE: We are pleased to make reasonable accommodations for members of the public who have disabilities and wish to attend the meeting. If special arrangements for the meeting are necessary, please notify Diane Scully at (775) 687-0551 as soon as possible and at least five days in advance of the meeting. If you wish, you may e-mail her at dmscully@adsd.nv.gov. Supporting materials for this meeting are available at: 3416 Goni Road, #D-132, Carson City, NV 89706 or by contacting Diane Scully at (775) 687-0551 or by email at dmscully@adsd.nv.gov.

Agenda Posted at the Following Locations:

1. Aging and Disability Services Division, Carson City Office, 3416 Goni Road, Suite D-132, Carson City, NV 89706
2. Aging and Disability Services Division, Las Vegas Office, 1860 East Sahara Avenue, Las Vegas, NV 89104

3. Aging and Disability Services Division, Reno Office, 445 Apple Street, Suite 104, Reno, NV 89502
 4. Aging and Disability Services Division, Elko Office, 1010 Ruby Vista Drive, Suite 104 Elko, NV 89801
 5. Southern Nevada Center for Independent Living, 2950 S. Rainbow Blvd., #220, N. Las Vegas Blvd., Las Vegas, NV 89146
 6. Disability Resources, 50 E. Greg St Suite 102, Sparks, NV 89431
 7. Nevada State Library and Archives, 100 N. Stewart Street, Carson City, NV 89701
 8. Desert Regional Center, 1391 So. Jones Blvd., Las Vegas, NV 89146
 9. Sierra Regional Center, 605 South 21st St., Reno, NV 89431
 10. Nevada Disability Advocacy & Law Center, 1865 Plumas St., #2, Reno, NV 89509
 11. Northern Nevada Center for Independent Living, 999 Pyramid Way, Sparks, NV 89431
 12. Department of Health and Human Services, 4126 Technology Way, Carson City, NV 89706
 13. Bureau of Vocational Rehab, 1325 Corporate Blvd., Reno, NV 89502
- Notice of this meeting was posted on the Internet: <http://aging.state.nv.us/>

Technology, Education, and Accessibility in College and Higher Education Act of Nevada

Technology has fundamentally changed the education system. The scope of instructional materials used to facilitate the teaching and learning process at institutions of higher education has expanded. Curricular content comes in the form of digital books, PDFs, webpages, etc.; and most of this content is delivered through digital databases, learning management systems, and applications. Traditional print materials are inherently inaccessible to disabled students, but technology creates opportunities to expand the circle of participation. These opportunities are missed when the majority of these materials are inaccessible to students with disabilities.

The use of inaccessible technology by institutions of higher education is a violation of law. Section 504 of the Rehabilitation Act and Titles II and III of the Americans with Disabilities Act prohibit discrimination on the basis of disability, but these laws were written before technology permeated the classroom. In 2010, the U.S. Departments of Justice and Education issued guidance to institutions of higher education clarifying that the use of inaccessible technology is a form of discrimination. In the four years since, several of the country's leading institutions have faced legal action for continuing to use inaccessible technology.

Accessibility solutions are widely available, but schools and manufacturers are resisting. A 2009 Congressionally-authorized study found that, despite innovations in text-to-speech, refreshable Braille, and other accessibility features that create promise for equal access, there is still persistent unmet need. Developers claim there is not enough demand to justify making accessible products, and schools claim to have limited options and a lack of knowledge about accessibility to properly guide procurement. Because of this blame-game, developers are moving too slowly and schools are openly violating the law.

Guidelines are sorely needed to guide the market and lift burdens off of disabled students. While schools and manufacturers are waiting for the other to take action, blind students are facing insurmountable barriers to their education. No student can be expected to succeed in college if he or she is denied access to course material, and yet the solutions available to remedy this discrimination are ignored! Universally-accepted accessibility guidelines will give direction to manufacturers, clarity to schools about how to meet their legal obligations regarding technology, and long-overdue equal access for disabled students.

Technology, Education, and Accessibility in College and Higher Education Act:

Develops accessibility guidelines for instructional materials and related information technology. The Access Board will consult experts and stakeholders to develop functional performance criteria for electronic instructional materials and related information technologies so that those materials are usable by individuals with disabilities. The guidelines will serve as a flexible prescription for accessibility for both developers and institutions of higher education.

Provides incentive for institutions of higher education to follow the guidelines. Institutions of higher education that use technology that conforms with the guidelines will be deemed in compliance with the provisions of Section 504 of the Rehabilitation Act and Titles II and III of the Americans with Disabilities Act that pertain to schools' use of technology.

Establishes a minimum usability standard for all technology in the classroom. Institutions of higher education may only use materials that do not conform to the guidelines if that material allows disabled students to enjoy the same educational benefits in an equally integrated and equally effective manner, with substantially equivalent ease of use as nondisabled students.

Reference from NFB: <https://nfb.org/2014-teach-fact-sheet>